

June 25, 2007

I. Call to Order/Roll Call/Opening Ceremonies

Debra Silberstein, Vice Chairman of the School Committee, called the meeting of the School Committee to order at 5:35 p.m. in the Board of Selectmen's meeting room. Present were Debra Silberstein, Dick Collins, Tony James, and David Samuels from the School Committee and Alex Vispoli and Mary Lyman from the Board of Selectmen. Also present were Town Manager Buzz Stapczynski, Tony Torrissi, Finance Director, Steve Bucuzzo, Assistant Town Manager, Dr. Claudia Bach, Superintendent of Schools, Evan Katz, School Business Manager and Candace Hall, Human Resources Director.

II. Executive Session

Upon motion by Debra Silberstein and second by David Samuels, it was moved and voted 4-0 by roll call vote, Debra Silberstein, David Samuels, Dick Collins and Tony James in favor of the motion, to go into an Executive Session to discuss Collective Bargaining Strategy and to return to Open Session. Present at the Executive Session were Debra Silberstein, Dick Collins, Tony James, and David Samuels from the School Committee, Alex Vispoli and Mary Lyman from the Board of Selectmen, Town Manager Buzz Stapczynski, Tony Torrissi, Finance Director, Steve Bucuzzo, Assistant Town Manager, Dr. Claudia Bach, Superintendent of Schools, Evan Katz, School Business Manager and Candace Hall, Human Resources Director.

There being no further business, a motion was duly made, seconded and unanimously voted to adjourn the Executive Session at 7:05 p.m. and the Board of Selectmen returned to their Regular Meeting at 7:05 p.m.

III. Opening Ceremonies

Upon return from Executive Session, Selectman Ted Teichert, Acting as Chairman, called the Regular Meeting of the Board of Selectmen to order at 7:12 p.m. Selectmen Vispoli, Lyman, Stabile, and Teichert was present. Absent was the Chairman, Brian Major. Also present was Town Manager Buzz Stapczynski and Town Clerk Randall Hanson. The Chairman called for a moment of silence followed by the pledge of allegiance. During the moment of silence, the Manager asked to remember Maureen Petkus, Department of Public Works Director Jack Petkus' wife, who passed away last week. Recording Secretary Elizabeth A. Kochakian took the minutes. This meeting was duly posted and cablecast live.

IV. Communications/Announcements/Liaison Reports

Town Manager Stapczynski:

- Fireworks will take place on July 3, 2007 at the Andover High School at dusk. They will start with the Bill Whittaker's band from 7:30 to 9:00 p.m.
- The 4th of July activities will begin at 8:00 a.m. in The Park with a pancake breakfast until 11: 00 a.m. The Selectmen were asked to participate. That will be followed by the Horribles Parade and band music in the park.

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IV. Communications/Announcements/Liaison Reports (Cont.)

- Summer concert series will begin July 11, 2007 for seven weeks ending on August 23, 2007. Concerts will run from 6:00 p.m. until 8:00 p.m. in the bandstand. If it rains the concert will be held in Memorial Auditorium.
- The State Department of Transportation is giving the Council on Aging, the senior citizens, a grant for a van 80 percent funded and a grant from the Andover Home for Aged Persons for the other remaining 20%. The van will be helpful for transporting the elderly and handicapped.
- Cathy Urquhart, Director of the Senior Center, sent a note that the Senior Center Cable TV group, the Andover Chroniclers, produced a monthly TV show called "There is Something about Andover." The past five years, he said they have produced two separate shows that are award winning. One is "Answering the Call" done in 2002, it was to interview local WWII Veterans; and another one in 2006 called "Our Immigrant Heritage" when they interviewed local immigrants who are seniors about their life experiences. The Manager said the one done in 2006 was entered in the Hometown Video Contest and won the category called Cultural and International Perspectives for Non Professionals. He said it was quite an honor to be recognized for their creative programming and extended his congratulations to them. He said that Ms. Urquhart is planning a reception for the Andover Chroniclers Friday, September 14, 2007 at the Senior Center to be recognized for their prestigious award.
- At the end of every Town Meeting, the Town Clerk and her crew has the tremendous task of assembling an array of documents to send to the Department of Revenue or to the Attorney General's office to be reviewed. After months of work to pull it all together, they just received word from the Attorney General's office that Articles 32, 48, 49, 50, and 53 were all approved with no questions. They had some comments on Article 34 and will note those comments and changes. He congratulated the Town Clerk for all she did on that.
- On the Community Preservation Act (CPA), Atty. Urbelis has secured a presentation from Bob Kennedy from the Commonwealth of Massachusetts Office of Campaign and Political Finance on September 20 at 7:00 p.m. in this room. Between now and town meeting, he said the Community Preservation folks who are interested in CPA will be organizing a Political Action Committee. They will have to register with the town clerk to take the CPA to the ballot. Mr. Kennedy will make a presentation on the do's and don'ts of a Political Action Committee and ballot vote of this nature. The Manager thanked Tom Urbelis for organizing that.

Selectman Mary Lyman:

- At the Public Safety Center, Selectman Lyman said they had a national group come before them on a program that the Andover Police has started up, which helps them with missing individuals. It goes beyond their own life safety program, which is for residents who can put on a bracelet and instantly be located if they are lost. The difficulty with that program is that as soon as you leave Andover, if the other communities don't have the tracking device, then you can't find that person.

IV. Communications/Announcements/Liaison Reports (Cont.)

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Selectman Mary Lyman (Cont.):

Selectman Lyman said the Chief has taken them into a new program that goes beyond this area; it is a larger reverse 911 system for missing children and adults. She said this program could make 1000 calls in one minute. She said the program was very exciting and totally free to the Town. She felt it was nice to see them working on new ideas.

Selectman Alex Vispoli:

- A week ago, the League of Women voters hosted an I-93 forum where Paul Materazzo, Andover's Planning Director, was the MC and did a great job with running that. It was an overview with the community on where they are with the I-93 Interchange study, what the time line is, what are some of the next steps, and grants they have applied for. He thanked the League and Mr. Materazzo and anyone else that participated. He said it was quite a success and the first of many.

V. **Citizens Petitions and Presentations**

A. John Pasquale, 47b Whittier Street

Mr. Pasquale gave the Board the following feedback:

- Regarding the three way light up in Shawsheen on the way to the High School, they redesigned the lights and they are fixed.
- The construction on Rt. 133 in front of the IRS is finished and paved all over.
- Chestnut and Whittier Streets have been repaved and waiting to get the lines down.
- His neighbor told him he received a phone call from Andover Police Department announcing a "Citizen's Alert" due to an outbreak of housebreaks but didn't say where they were. Mr. Pasquale said he would like to understand if they have a policy on this. Selectman Vispoli said everybody across town got that message through the Reverse 911 system. Mr. Pasquale said he didn't get a call. Selectman Lyman noted that if you name is on the "do not call" list one has to alert the Police Department that they have the right to call you.
- Last, under communications, his observation is that the people at the top are always commended and get all the credit. He felt that once a month the Board of Selectman should have an individual that works "in the trenches" for the Town asked to come in here and be recognized.
- He got a call from someone who wanted to know what he was doing with binoculars on Main Street. He said he was looking at the roofs on the library and the old town hall. On the Old Town Hall, he said he would like to see Mr. Piantedosi see why all the ice dams build up on the Park Street side; and, second, they ought to tell Mr. Materazzo he would like some space utilization done in the Townhouse.

V. **Citizens Petitions and Presentations (Cont.)**

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A. John Pasquale, 47b Whittier Street (Cont.)

He said the Town House is a valuable asset in the middle of town and they ought to be utilizing space in there a little differently. Selectman Teichert said that has been brought up in the past.

- Mr. Pasquale said the last point he wished to make was on the 10 chimneys on the Town House. He saw with his binoculars that one has steel holding it up. He felt that must have been because of a safety problem and questioned the condition of the other nine.

VI. Public Hearing

A. Bay State Gas Company

A public hearing was called to hear the request of Bay State Gas Company for permission to excavate approximately 4,150 feet on Argilla Road to install 8" PE main to replace the existing bare steel main to include connecting the services along the above-mentioned work area to the newly installed main.

The request has been reviewed and approved by the Department of Public Works subject to the condition that a street opening permit must be obtained from the DPW prior to the commencement of any construction.

Kerry Laskowski, representing Bay State Gas, appeared before the Board to speak on the request and to answer questions. Peter Comeau, 60 Argilla Road, asked if the area of the work will be in the confines of the road. Mr. Laskowski said that most of the work would be on Salem Street and the edge of the road.

It was moved by Selectman Lyman that the Board approve the above request for Bay State Gas for Argilla Road. The motion was seconded by Selectman Vispoli, voted and passed 4-0.

VII. Regular Business of the Board

A. Presentation on Newsrack Program for the Downtown

Senior Planner Lisa Schwarz, representatives of the Main Street Committee, Atty. Peter Caruso from the Eagle Tribute and Atty. Tom Urbelis representing the Town were present at the meeting to give an update on the Newsrack Program in the Central Business District.

VII. Regular Business of the Board (Cont.)

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A. Presentation on Newsrack Program for the Downtown (Cont.)

Ms. Schwarz first appeared before the Board. She said she has been working with the Main Street Committee for the last couple of years on the News rack Program. She said the Committee drafted an ordinance last year that went before town meeting and didn't pass. The concern was whether they needed an ordinance or should they try an alternative and started discussion on that. With some of the newspapers, representatives from the Eagle Tribune, Andover Townsman and USA Today, they had their first meeting last August. After four meetings they drafted a voluntary agreement for the distribution of newspapers in the central business district. Two of the big newspapers downtown said they would support and help them to try to get some of the freebees to participate in this program as well.

Ms. Schwarz said that the Main Street appropriation from 2002 has funding for news racks. She gave the Selectmen a packet with pictures of a news rack design. She said that Abbey Ohara, representing Main Street Committee, Peter Caruso from the Eagle Tribune and the Andover Townsman, and Tom Urbelis representing the town, all worked really hard trying to come up with something they would want to see work. If this didn't work they have been told by some of the newspapers they would support them to come up with some type of ordinance. Selectman Teichert asked if the real estate guides in the boxes would be different then newspaper newsracks. Ms. Schwarz said those are free guides and are put in a box they purchase and will fall under the same jurisdiction as regular newspapers. Selectman Teichert asked about the safety issue. He said that half the sidewalk in front of Starbucks is taken up with newspaper boxes. Abbey Ohara said there are going to be designated sites within the central business district that will have the modular units they are recommending and they will invite all the publishers to join to use them. After the public hearing, they will pick the sites for these boxes. They have to meet certain requirements and they shouldn't be in front of Starbucks after they pick the consolidated sites if they get 100% compliance.

Atty. Caruso said this is a great example of cooperation between the Main Street Committee, the town, with the public and the newspapers. Instead of going through the law and an ordinance, they all sat down in the spirit of cooperation and good citizenship and have managed to blend some of the major safety needs that have to be met to get balancing of the first amendment and freedom of speech. They have come up with a voluntary agreement, corals, newspapers in one area, that wouldn't tip over and there would not be safety issue. They have addressed all of that and Abbey OHara and her committee should get the credits for addressing that. He said they have had meetings with Steve Malone from the Eagle Tribune, the Andover Townsman, as well as USA Today and unless they have cooperation of all the publications, including the Boston Globe, the Herald, and the smaller publications they are not going to have a relationship. They need 100% cooperation and to that end they have Steve Malone from the Eagle Tribune, and Andy Ike from USA today who said they will contact other publications and supply the town with the names of the contact people for the papers that are not paying circulations.

VII. **Regular Business of the Board (Cont.)**

A. Presentation on Newsrack Program for the Downtown (Cont.)

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Selectman Teichert asked if one person does not comply, what recourse do they have? Atty. Caruso said this is a voluntary agreement; if they don't want it, then an ordinance will be put in place, a fee will be charged and a fine for uncooperative publishers. That is what the alternative will be to compliance to the agreement.

Selectman Vispoli said it sounded to him that there would be no enforcement that the town or any other group would have if someone would not comply. Atty. Urbelis said that no one else from the state has accomplished or has attempted this, a public private partnership, thanks to the Main Street Committee, Lisa Schwarz and the publishers. They will give it a year to see if it works. If they can't, they will adopt a bylaw for enforcement. Selectman Vispoli felt the news rack situation was a real problem and applauded the groups that got together. He asked the question, if these private groups don't decide to participate or volunteer, would the newspaper organizations have a problem if they go for an ordinance. Atty. Caruso said he doesn't think there should be any law that infringes on freedom of speech and could not answer the question directly. He said they don't want a law or fine, but if they got 60% presentation they will have lost. They hope it will not go to that.

Selectman Vispoli summarized that this is a great idea, not enforceable, a volunteer program, with some type of peer pressure to get everyone to do it. They will have an evaluation one year from now to see how it is going.

Ms. Schwarz said that they did an inventory last September of all the boxes and found that certain freebees are duplicated in some locations. They have a list of major publications and free publications and anticipate enough capacity in the beginning. As to how much has been allocated for this, Ms. Schwarz said about \$15,000 from the Main Street project. Once they have the funding, in a 6-12 week window, they will start the process. Ms. Ohara said they are asking the Selectmen to approve a fee for participating. The agreement asks for a single one-time fee to cover administration costs. However, they didn't know how they are going to come up with a single one time fee, the life of the boxes are 15 years. Another consideration is a yearly fee to participate and increase the fee on a yearly basis. Atty. Caruso said the highest fee he knows of charged against a newspaper has been \$50.00.

Mr. Pasquale said he wanted to know who owns the sidewalk. If the Town owns the sidewalk he felt they have a right to say what they are going to put on that sidewalk. Mary Carbone said that when Lori Becker was a Selectmen they addressed this issue. They were going to put the new racks around the corner on Punchard Avenue. She wondered about that and whether that was being considered. Ms. Schwarz said they would have local hearings to determine the location of the racks.

VII. Regular Business of the Board (Cont.)

A. Presentation on Newsrack Program for the Downtown (Cont.)

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It was moved by Selectman Vispoli that the Board supports the concept proposed by Lisa Schwarz for the Newsrack program and also support a yearly charge. The motion was seconded by Selectman Lyman.

Selectman Lyman thanked the group for working so hard as well as all the people represented here. that put this together and worked with it for two years. The motion was voted and approved 4-0.

B. Planning Director Paul Materazzo Re: Update on Shawsheen Renaissance Project

Planning Director Paul Materazzo appeared before the Board to make an update on the Shawsheen Renaissance Project.

Mr. Materazzo said he was here tonight with a number of folks from the Local Advisory group including Frank Shea, from the Transwestern Company from Brickstone Square. He said that Mr. Buxton who owns the Tactician Company couldn't make it this evening. They all played an important role helping to advance the initial vision for the Shawsheen Square corridor. This project was started by Mr. Buxton, who had a vision. He respected the history of Shawsheen Square of what Mr. William Wood back in 1920 sought here in Shawsheen Square. Mr. Wood looked to create Shawsheen Village as one of the first communities in the country where you had the concept with the mill workers which is now Brickstone Square; you have the housing, white Shawsheen and brick Shawsheen, and the commercial and retail district which is Shawsheen Square. Over the years, Mr. Materazzo said this area has started to get run down and the signage really didn't respect the history of the square. As a result of that the Transwestern Company and Tactician engaged the town and asked what they can do to help bring back this historic square.

As a result of the businesses, they engaged the services of a Local Advisory Group to help formulate the initial vision of the Shawsheen corridor. In order to get the vision off the ground they looked to set up a working group, a group of residents to help sculpture the future vision. With them tonight was Rosalind Wood, Don Robb, Eric Daum, Lisa Schwarz and Frank Shea from Brickstone Square.

Mr. Materazzo said they would be unveiling their vision on Wednesday at 7 p.m. at a meeting at the Memorial Library. They have also developed a web site of the beautiful Shawsheen community. At the meeting, they will see some of the initial themes that the Local Advisory Group, business owners and other residents who participated in this. They took a walk of the entire corridor and started to dream and think of the history of what this square was and what it is and reclaim that and bring it back.

VII. **Regular Business of the Board (Cont.)**

B. Update on Shawsheen Renaissance Project (Cont.)

Selectman Vispoli said he felt this was a great opportunity, a good long-term vision; he

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wondered how much will it cost. Mr. Materazzo said they would be talking about how they will go through financing the project. Selectman Stabile suggested at some point they engage with local artists, people to help out that know the history of the square. Don Rob said that in getting the local council involved in this, one of the things they do is give grants to local performing arts and creative artists and that would be one of the things they would put an RFP for when they get the next funding from the state lottery to see if they can connect into this. Mr. Materazzo said that as this project advances, one of things they are going to keep in mind for this project is Community Preservation Act (CPA) funding.

Mary Carbone said she was not part of this group but felt this may be a push to achieve the CPA in the community. She hoped it was not. She had no idea how they were going to fund this but felt it is a good thought. She wondered how they were going to address the flooding conditions that happened in Shawsheen Square. She felt the central business district should be extended to any business that is in Shawsheen Square and even Shawsheen Plaza. She said it is good to talk about this but didn't know how they are going to afford it; and, pushing for CPA is a ballot issue. Mr. Materazzo said that this project started before CPA came in the play and they are looking for state funding. Mr. Pasquale wondered if the meeting in the library was going to be televised. He felt they should use the TV for people to hear about such things and what is going on.

Erin Daum, 15 Carlisle Street, said he was an architect working in preservation and traditional initial design. When he and his wife moved here 10 years ago they felt this was an incredibly unique place, and their thoughts are shared by many of the architects he meets during his travels. He said that William Wood's vision in the 1920's was a precious concept. Here is an opportunity through the generosity of the business community to make it a model of all Massachusetts. Mr. Robb said that the location of Shawsheen Square makes it the first piece of Andover everyone sees when they come into Andover. If they can bring that vision and make it more visible that will serve to benefit the whole town. Also, he said this plan begins where the Main Street project terminates.

C. Planning Director Paul Materazzo Re: Update on MORE Grant

Planning Director Paul Materazzo said he was before the Selectmen to give an update on the Massachusetts Opportunity Relocation and Expansion (MORE) Grant associated with the infrastructure for the proposed I-93/Lowell Junction Interchange Project and to ask the Board to sign a letter of support for the MORE Grant. He said this was the grant application, which the Town of Andover and Wyatt submitted in April 07. It is an opportunity being offered by the Executive Office of Housing and Economic Development and a grant program for a public private partnership.

VII. Regular Business of the Board (Cont.)

C. Planning Director Paul Materazzo Re: Update on MORE Grant (Cont.)

Mr. Materazzo said that in order to be eligible Wyatt has to provide 100 new jobs in a period of five years. In exchange, the municipality will receive grant monies to improve their

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infrastructure. Mr. Materazzo said they are looking for \$15m to move forward with the northbound access on Rt. I-93 including roadway improvements along Burt Road extension; also, the railroad crossings over the MBTA line. All of these improvements will be compatible with the Tri-Town Unified Development Vision (Andover, Tewksbury & Wilmington) and consistent with interchange options identified in the Interchange Justification Report. Mr. Materazzo introduced to the Selectmen Bob Halpern from the Merrimack Valley Economic Development Complex. He said he assisted them with the preparation with the collaboration effort with Wyatt and the Town of Andover to move forward. If selected for his opportunity, Mr. Materazzo said they will hear from the State by July 7 and that there will be no cost to the Town except for administering the grant.

It was moved by Selectman Vispoli that the Board approve and endorse the MORE grant. The motion was seconded by Selectman Lyman.

Selectman Vispoli recognized Bob Halpern's work on the Planning Commission on this. The motion was then voted and approved 4-0.

D. Attorney Mark Johnson Re: Changes to Preservation Restriction

Attorney Mark Johnson, representing Michael P. Ristuccia, appeared before the Board to discuss changes to the Preservation Restriction for property located at 88 Lowell Street for the Board's signature. Atty. Johnson said he was before the Selectmen a couple of months ago when the Board approved the preservation restriction. Prior to sending it to the state, he said he noticed that the description they used did not reference the most recent plan and they wanted to make that change. The Board had a copy of the plan. Atty. Johnson said the change was consistent with the Zoning Board of Appeals decision that was presented to the Board.

It was moved by Selectman Lyman that the Board approve and sign the Preservation Restriction for property located at 88 Lowell Street. The motion was seconded by Selectman Vispoli voted and approved 4-0.

E. Selectman Stabile Re: Update on the Town Yard Task Force

In an update on the Town Yard Task Force, Selectman Stabile said they created a subcommittee to look to putting together a task force with the purpose of defining a rational purpose and the organization and goals associated with the creation of task force which is the feasibility of relocating the town yard.

VII. Regular Business of the Board (Cont.)

E. Selectman Stabile Re: Update on the Town Yard Task Force (Cont.)

Selectman Stabile said they have a final draft of the charter for the task force and will be presenting it to the Board at their July 9 meeting as well as list of members for the task force which will be selected by the Town Manager. He said they are looking to get the task force rolling by the

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end of July. They currently have a short list of interested members for the task force and encouraged anyone else interested to E-mail him or the Manager or go to the website and fill out the form.

Tom Deso, 80 High Street, wondered if the subcommittee has a time frame to get their task done. Selectman Stabile answered that one of the first goals was a realistic timeline of moving the project forward. The task force will be identifying locations that could be used as well as the background to go with that. Mr. Deso said he asked because he felt the sense from town meeting was they wanted to set a time frame when this will be done in. Selectman Vispoli said there is a sense of emergency for two reasons. The first, because it has been a road they have gone down before, and, second, town meeting in the last two years approved money for construction of a facility. They put that on hold but can't do it indefinitely because the workers are in temporary quarters. They want to get the task force in place, look at the options before they tell Mr. Piantedosi to build the building.

Selectman Lyman said they were in the process of buying the property at 37 Pearson Street and should the town yard not be located there she wondered if they have taken into consideration that home should not be demolished. Manager said they have a couple of options and could keep the house standing. She felt the Manager should bring that back to the Board for discussion before they may want to raise the building. Selectman Stabile felt it would be wise to treat this project independently of what they did with the property on that street but said he did hear her concern in terms of the expense associated with that. Selectman Lyman said she wouldn't vote for that if it weren't for the town yard. Mary Carbone said what she got from town meeting is that if it wasn't for the town yard they would not of purchased that building. Mr. Pasquale said he got up at town meeting after a lady made a big plea about taking her house away and pleaded to not tear the building down. He said the Town Manager said they were not going to tear the building down. He asked the Selectman to not take it down before they have a good game plan. Mary Jane Bausemer, 139 Shawsheen Road, said she heard the Manager say the building was coming down but for not a year. She said she wanted to be on the task force. She felt there could be a better place for the town yard and the property was too valuable a place to have a town yard and too small.

Selectman Stabile emphasized that the task force is to determine whether there is a suitable site and he hopes they do a good job.

VII. Regular Business of the Board (Cont.)

F. Discussion on the FY-08 Goals & Objectives Process

A discussion was held on the FY-08 Goals and Objectives process. Selectman Vispoli said the process they went through last year was good and the only thing they can improve upon is to have measurable goals. He liked the process of a round table discussion first. The Manager said he and Selectman Major met several weeks ago preparing for this discussion. His point also was a

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smaller number, higher priority, measurable goals, and very specific kinds of doable things that could be achieved in a year. Things they can actually control and see the movement on. Ms. Hanson said the timing was important if there is money attached.

After discussion, it was decided to have a one and a half hour meeting on July 2nd to go over the goals. All Selectmen should be in attendance and the only agenda item will be goal setting. In the alternative, the Town Manager can keep the meeting on the 9th relatively light and schedule another discussion that night.

Mr. Pasquale said he concerned about the talk of an override. He felt it was a great opportunity over the summer to get together with the other boards but sees nothing on the bulletin board for the School Committee scheduled for July. He cautioned the Selectmen that if they don't do their homework for an override and participation by the public, it would not go forward. Selectman Vispoli said they have a meeting scheduled for this Thursday with the subcommittees from the School Committee and Finance Committee. Their goal is to come up with a framework, a three-year game plan, and have made the commitment to start the process early. He said this is their first meeting and would like them to see by Labor Day what 2009 looks like.

G. Discussion on the National Citizens Survey Program

The Manager said he has supplied the Board with a memo discussing the 2007 National Citizens Survey Program. He said they had a successful survey last time with a 56% response and there was very good info from residents how they are doing on number of different fronts. Some confirming what they understood, others were new and challenging. He said this gives them the opportunity to ask a number of questions and opportunity to tailor and shade some of the questions to help them with long term financial planning. He recommended they engage the National Citizens Survey, Inc. organization to work with them to administer this kind of survey with feedback between what happened four years ago and what is happening this year.

Selectman Lyman said she was a big proponent of this. She said the City of Lawrence just finished a survey and the company did a great job and they got helpful feedback. She asked the Manager if he could check with the City of Lawrence and see what they paid.

VII. **Regular Business of the Board (Cont.)**

G. Discussion on the National Citizens Survey Program (Cont.)

Selectman Vispoli questioned the value of the survey and results. He felt the data was comparably hard to get a real read on what the results were and didn't do much with it. Selectman Lyman said the senior citizens, Council on Aging, developed their programs from what it said. Selectman Teichert said he would like to find out what did they take out of it what did they did with it. He wondered how often it needs to be done. Selectman Stabile asked what the objective of doing

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this survey was in the first place and if the questions within the survey are indicative of what they want to get. Selectman Vispoli said he doesn't remember them tying back and saying because of the survey we decided to change a plan here or there. He asked the Manager if he could tie this to some things they did as a result of the survey. Selectman Stabile said he would want to know if they are getting value out of the questions and if they will know how the people in town feel. Selectman Teichert said he would like to get more than 600 responses.

The Manager said the questions they use here they use in other places and can compare with other communities and see how they match up against other Triple A communities. Selectman Stabile said he would rather like to know how the people feel about this town. Selectman Vispoli asked the Manager to see if there are any other options out there besides this one. Selectman Lyman said to ask about the survey done in the city of Lawrence. It was the consensus to get more information on this and have more discussion before a decision is made. Selectman Stabile said this may be used to help them know how they are doing and also advertise to their citizens to see if they are getting a level of service or not and happy with that. In other words, he would like to see the survey more specific to Andover.

Mary Carbone told the Board that she had to leave the meeting but before she did, that she would like to thank the police officers in the community for a safety issue and their response time she was recently involved with. She said the police responded within two seconds and made her feel very safe. Mr. Pasquale said the girls working at the Police Department deserve accolades as well.

H. Discussion on the Governor's proposed Municipal Partnership Act

The Manager said the Massachusetts Municipal Association has sent them a lot of material on the Governor's proposed Municipal Partnership Act. He wanted to hear the Board's reaction on the core of the key elements. In the memo the Selectmen had, the key provisions of the Act listed five key provisions; Local Option Sales Tax on Meals; Local Option Room Occupancy Excise; Closing the Telecommunications Company Property Tax Loophole; Group Insurance Commission; and Local Pension Asset Investments.

VII. **Regular Business of the Board (Cont.)**

H. Discussion on the Governor's proposed Municipal Partnership Act (Cont.)

The Board discussed each option after which it was moved by Selectman Lyman that they instruct the Town Manager to notify their state delegation that Andover would be supportive of the state initiative in options 1-4 to have that as a local option and opposed to 5, Local Pension Asset Investments, as a mandate but would support it if it was local option. The motion was seconded by Selectman Vispoli voted and approved 3-0-1 (Selectman Vispoli abstaining).

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I. Statement of Interest

The Board considered authorizing the Town Manager to sign the Statement of Interest for the Bancroft Elementary School, Shawsheen Elementary School and Andover High School. Selectman Teichert said the School Building Task Force made a presentation last Wednesday evening on the statement and Tom Deso from the task force was present to answer questions as well as Atty. Mark Johnson.

Selectman Vispoli said this endorsement just passes the statement of interest back to the state to put them in the cycle for potential staff and moving forward for reimbursement and funding. This is not binding the town in any way for information but the first step in the process. Selectman Lyman said if there is any further commitment required of the town it would require prior discussion.

It was moved by Selectman Vispoli that the Board authorize the Town Manager to sign the statement of interest request. for the Bancroft Elementary School, Shawsheen Elementary School and Andover High School. The motion was seconded by Selectman Stabile.

Mr. Pasquale said Atty. Mark Johnson made an outstanding presentation on this and it should have been stated that other than financial the reason why he wanted it signed tonight is because there is a deadline. He said that Selectman Major was not present for the last presentation and not here tonight. He wanted to know if they were in contact with him on this. Atty. Johnson said that Selectman Major has attended a number of meetings of the task force.

After all discussion, the motion was voted and passed 4-0.

Selectman Lyman thanked Tom Deso for his participation as well. Atty. Johnson noted that the concept of the task force worked very well. He thanked the members of the task force as well. He said they will stay around until state makes the visit and that the state may have an informational meeting in September to update the towns and give some time frames.

Selectman Lyman thank Atty. Johnson for putting the group together.

VIII. Approval of Consent Agenda Items

A. Appointments and Re-appointments

It was moved by Selectman Lyman that the following appointments by the Town Manager be approved:

DEPARTMENT	POSITION	RATE	EFF. DATE
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June 25, 2007 (Cont.)

COMMUNITY SERVICES

Michelle Doucette	Program Assistant II	IE14-4-1	6/26/07
Caroline O'Malley	Lifeguard – PT	C3A	6/12/07
Elizabeth A. O'Connor	Lifeguard – PT	C3A	6/12/07
Gregory M. James	Lifeguard – PT	C3A	6/13/07
Eric J. Chu	Playground Counselor – PT	C2A	6/13/07
Stephanie J. Feeney	Camp Counselor – PT	C2A	6/8/07
Lindsay M. Sutherland	Camp Counselor – PT	C2A	6/8/07
Jean S. Strazdes	Theater Ensemble – PT	***	7/9/07
Steven Beaulieu	Stage Manager – PT	***	7/9/07

*** Stipend varies with course/program

The motion was seconded by Selectman Vospoli, voted and approved 4-0.

It was moved by Selectman Lyman that the following appointments by the Town Manager be approved:

BALLARDVALE HISTORIC DISTRICT COMMISSION

Michael J. Ristuccia (v. M. Bogan) – Regular Member – Term expires 6/30/10
David DiAntonio (v. M. Ristuccia) – Associate Member – Term expires 6/30/08
David J. Hart (v. L. Smiledge) – Associate Member – Term expires 6/30/09

CONSERVATION COMMISSION – Term to expire 6/30/10

Alan French (v. P. Sutherland)

VIII. Approval of Consent Agenda Items (Cont.)

A. Appointments and Re-appointments (Cont.)

CULTURAL COUNCIL –Term expires 6/30/10

Carole Chanler (v. M. Spencer)
John Riley (v. S. Goldshein)
Janice Burkholder (v. D. Grams)

June 25, 2007 (Cont.)

ELDERLY TAX AID COMMITTEE – Term expires 6/30/08

Jill Garvin (v. B. Brandt-Saret)
Klaus Lasch (v. J. Andreadis)

HOUSING PARTNERSHIP/FAIR HOUSING COMMITTEE

Vinod K. Bhandari – Term expires 6/30/10 (v. J. Madden)
Evan Belansky – Term expires 6/30/11 (v. S. Stott)

MAIN STREET COMMITTEE – Term expires 6/30/09

Katherine O’Neil (v. S. Doherty)

RECYCLING COMMITTEE

Alana McKee – Term expires 6/30/10 (v. J. Ringleb)
Donald Gottfried – Term expires 6/30/10 (v. J. Curtis)
Scott Stecher – Term expires 6/30/08 (v. M. Giamo)

SPRING GROVE CEMETERY TRUSTEES – Term expires 6/30/10

Sandra Dearborn (v. G. Hedrick)
Jennifer Smith (v. J. Ritterhaus)

The motion was seconded by Selectman Vispoli, voted and approved 4-0.

It was moved by Selectman Lyman that the following appointments by the Town Manager be approved:

VIII. Approval of Consent Agenda Items (Cont.)

A. Appointments and Re-appointments (Cont.)

HOUSING TRUST FUND BOARD

Janice Burkholder (v. D. Grams)

SCHOLARSHIP COMMITTEE – Terms expire 6/30/08

Janis Hill (v. R. Easton)

June 25, 2007 (Cont.)

Cynthia H. Sherlock (v. D. Drinon)
Cherish Brunet (v. C. Milne)
Elizabeth Roos – Superintendent’s Appointee (v. R. Bourdelais)

and that the following re-appointments by the Town Manager be approved:

BOARD OF ASSESSORS – Term expires 6/30/10

Bruce Symmes

BALLARDALE HISTORIC DISTRICT COMMISSION – Term expires 6/30/10

James Sheldon – Regular Member

CABLE ADVISORY COMMITTEE – Term expires 6/30/10

John B. Flynn

COMMISSION ON DISABILITY – Terms expire 6/30/10

Justin J. Coppola, Jr.	Bernadette Lionetta
Jami Cope	Julie Pike

CONSERVATION COMMISSION – Term expires 6/30/10

Paul J. Finger

COUNCIL ON AGING – Terms expire 6/30/10

Patricia D’Ambra Tovey	Nancy S. Gump
Francis A. O’Connor	

VIII. Approval of Consent Agenda Items (Cont.)

A. Appointments and Re-appointments (Cont.)

CULTURAL COUNCIL – Terms expire 6/30/10

Alan Michel	Shelley Selwyn
Jennifer Cullen-Struhl	

DESIGN REVIEW BOARD – Term expires 6/30/10

June 25, 2007 (Cont.)

Ann E. Constantine

BOARD OF HEALTH – Term expires 6/30/10

Candace Martin

HOUSING PARTNERSHIP/FAIR HOUSING COMMITTEE – Term expires 6/30/10

Sarah B. Young

MEMORIAL HALL LIBRARY TRUSTEES – Terms expire 6/30/10

Carolyn A. Fantini Matthew L. Russell

PATRIOTIC HOLIDAY/STREET OF FLAGS COMMITTEE – Terms expire 6/30/08

Calvin A. Deyermond	John J. Lewis
John C. Doherty	Joseph D. McCloskey
James M. Deyermond	Robert S. Hamilton
James Bedford	Michael B. Mansfield
Michael Burke	Susan W. Ratyna

PLANNING BOARD – Term expires 6/30/12

Paul J. Salafia – Regular Member

PRESERVATION COMMISSION – Terms expire 6/30/10

Dennis Ingram Lynn Smiledge
Margaret Salafia

VIII. Approval of Consent Agenda Items (Cont.)

A. Appointments and Re-appointments (Cont.)

RECYCLING COMMITTEE – Terms expire 6/30/10

Anthony Connell Marya Chapin Lundgren

GREATER LAWRENCE SANITARY DISTRICT – Term expires 6/30/10

Jack Petkus

June 25, 2007 (Cont.)

MERRIMACK VALLEY PLANNING COMMISSION – Terms expire 6/30/08

Paul Salafia

John J. McDonnell – Alternate Representative

MERRIMACK VALLEY REGIONAL TRANSIT AUTHORITY – Terms expire 6/30/08

Paul Materazzo

Lisa Schwarz – Alternate Representative

IPSWICH RIVER WATERSHED MANAGEMENT COUNCIL – Term expires 6/30/08

John Pollano

VETERANS SERVICE AGENT – Term expires 6/30/08

Michael Burke

KEEPER OF THE LOCKUP – Term expires 6/30/08

Police Chief Brian J. Pattullo

DIRECTOR OF EMERGENCY MANAGEMENT – Term expires 6/30/08

Police Chief Brian J. Pattullo

INSPECTOR OF ANIMALS – Term expires 6/30/08

Richard D. Lindsay, DVM

VIII. Approval of Consent Agenda Items (Cont.)

A. Appointments and Re-appointments (Cont.)

and that the following re-appointments by the Board of Selectmen be approved:

HOUSING TRUST FUND BOARD OF TRUSTEES – Terms expire 6/30/10

Linda A. O’Connell

Carolyn Hall Finlay

Joan Duff

SCHOLARSHIP COMMITTEE – Terms expire 6/30/08

Kathleen M. Hess

David J. Reilly

Rosalie Konjoian

June 25, 2007 (Cont.)

Dr. Eric Stubenhaus

Norman Rice

ZONING BOARD OF APPEALS – Terms expire 6/30/10

Carol C. McDonough – Regular Member

Paul Bevacqua – Regular Member

The motion was seconded by Selectman Stabile, voted and approved 4-0.

B. Common Victualler License

The Board considered the request of Albert A. DeNapoli, Esq., on behalf of S/HM Andover Management, LLC, d/b/a Wyndham Andover, 123 Old River Road, Andover, for a Common Victualler license for use at the Wyndham Andover, 123 Old River Road, Andover. The license request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. Atty. DeNapoli was present to answer questions.

With no objections, it was moved by Selectman Stabile that the Board approve the above request. The motion was seconded by Selectman Lyman, voted and approved 4-0.

C. Automatic Amusement/Entertainment License

Albert A. DeNapoli, Esq., on behalf of S/HM Andover Management, LLC, d/b/a Wyndham Andover, 123 Old River Road, Andover, is applying for a regular hours Automatic Amusement License and a Sundays from 1:00 P.M. to 12:00 A.M. Entertainment License for use at the Wyndham Andover, 123 Old River Road, Andover. The license request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license.

VIII. Approval of Consent Agenda Items (Cont.)

C. Automatic Amusement/Entertainment License (Cont.)

With no objections, it was moved by Selectman Lyman that the Board approve the above request for Albert A. DeNapoli, Esq., on behalf of S/HM Andover Management, LLC, d/b/a Wyndham Andover, 123 Old River Road, Andover. The motion was seconded by Selectman Vispoli, voted and approved 4-0.

D. One-Day Beer & Wine License

It was moved by Selectman Vispoli that the Board approve the request of Ariskelda Inoa, 174 North Main Street, Andover, for a one-day beer & wine license for use on Thursday, July 5, 2007 from 5:00 P.M. to 10:00 P.M. for a wedding reception at the Town House. The license request

June 25, 2007 (Cont.)

has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license.

With no objections, it was moved by Selectman Vispoli that the Board approve the above request. The motion was seconded by Selectman Lyman, voted and approved 4-0.

E. **Street Acceptance Documents**

It was moved by Selectman Vispoli that the Board sign the deeds and easements associated with the streets (Green Meadow Lane, Stirling Street and Whittemore Terrace) accepted at the 2007 Annual Town Meeting.

The motion was seconded by Selectman Stabile, voted and approved 4-0.

IX. **Approval of Minutes from Previous Meetings**

It was moved by Selectman Vispoli that the Board approve the minutes of the June 11, 2007 Regular Meeting. The motion was seconded by Selectman Lyman, voted and approved 4-0.

X. **Sewer Commissioners**

It was moved by Selectman Lyman that the Board adjourn to Sewer Commissioners. The motion was seconded by Selectman Vispoli, voted and approved 4-0 by roll call vote Selectmen Lyman, Stabile, Vispoli and Chairman Teichert and in favor of the motion.

It was moved by Selectman Lyman that the Board approve the following requests for connection to the new sanitary sewer system:

X. **Sewer Commissioners (Cont.)**

23 Blueberry Hill Road – TM 43, TL 30
4 Embassy Lane – TM 45, TL 71
22 Ivy Lane – TM 44, TL 14
5 Meadowbrook Drive – TM 61, TL 48

The motion was seconded by Selectman Vispoli voted and approved 4-0 by roll call vote Selectmen Lyman, Stabile, Vispoli and Chairman Teichert in favor of the motion.

It was moved by Selectman Lyman that the Board approve the following requests for connection to the existing sanitary sewer system:

2 Caileigh Court – TM 89, TL 23
4 Caileigh Court – TM 89, TL 23

June 25, 2007 (Cont.)

6 Caileigh Court – TM 89, TL 23
196 Elm Street – TM 2, TL 48
127 Hidden Road – TM 79, TL 8
43 High Street – TM 38, TL 106
14 Lincoln Street – TM 89, TL 36C
100 Woburn Street – TM 120, TL 1A
5 Charles Circle – TM 63, TL 16D
(Address change from 5/14/07 BOH Meeting)

The motion was seconded by Selectman Vispoli voted and approved 4-0 by roll call vote Selectmen Lyman, Stabile, Vispoli and Chairman Teichert in favor of the motion.

It was moved by Selectman Lyman that the Board adjourn as Sewer Commissions and return to regular meeting. The motion was seconded by Selectman Vispoli, voted and approved 4-0 by roll call vote Selectmen Lyman, Stabile, Vispoli and Chairman Teichert in favor of the motion.

XI. Comments by John Pasquale

Mr. Pasquale mentioned at this time that he knew that the recording secretary Elizabeth Kochakian would be retiring July 14, 2007. He felt she was doing a fine job but wondered who would be taking the minutes after she retires. The Manager said the position was being posted. Ms. Kochakian would be present for one more meeting on the 9th of July.

Second, Mr. Pasquale said that every time the Board goes into executive session there has to be a purpose. He said he came tonight at 5:30 p.m. and saw posted outside this room that there were three or four groups here behind closed doors in Executive Session. He asked a lawyer that was here and confirmed that the purpose of the Executive Session should have been stated.

XI. Comments by John Pasquale (Cont.)

Selectman Lyman told Mr. Pasquale that when they open the Regular Session they always start with the purpose of the Executive Meeting. Mr. Pasquale felt it should be put on the board.

Last, Mr. Pasquale said when he gives the Board feedback on how they are doing, they should listen and it be something that they should follow up on, i.e., setting a goal on communications. Second, he said he felt the Selectmen didn't act like leaders but like followers. He said if one "needles," you should get action that is what leaders do. He felt no one individual can have a lot of talent, they get it collectively. Ms. Pasquale said this is a great town and he is going to help the Selectmen. He was thanked for his remarks

XII. Adjournment – 9:41 p.m.

With no further business for the Board, it was moved by Selectman Lyman that the Board close the Regular Meeting of the Board at 9:41 p.m. The motion was seconded by Selectman

June 25, 2007 (Cont.)

Vispoli, voted and approved 4-0.

Elizabeth A. Kochakian
Recording Secretary